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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,551	03/15/2004	Kirk P. Bumgarner	SP00-038A	9834

22928 7590 11/25/2008  
CORNING INCORPORATED  
SP-TI-3-1  
CORNING, NY 14831

EXAMINER
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DONDERO, WILLIAM E

ART UNIT	PAPER NUMBER
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3654

MAIL DATE	DELIVERY MODE
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11/25/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* KIRK P. BUMGARNER, KENNETH W. ROBERTS, and  
DAVID A. TUCKER

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Application No. 10/800,551  
Technology Center 3600

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Mailed: November 24, 2008

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Before SHERRIE SAUNDERS-COBB, *Review Team Paralegal*  
SAUNDERS-COBB, *Review Team Paralegal*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on September 11, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

**INFORMATION DISCLOSURE STATEMENT**

Appellants filed three Information Disclosure Statement(s) (IDS) dated March 15, 2004. While it appears the Examiner may have considered at least some of the references cited on the above Information Disclosure Statement, there is at least one or more reference(s) that have not been initialed or crossed through and/or the Examiner's signature/ initials have not been provided at the bottom of the PTO\_1449. MPEP § 609 requires the Examiner to consider any Information Disclosure Statement filed by Applicant if timely submitted. A written communication notifying Appellant of the Examiner's consideration of the above Information Disclosure Statement is required.

**CONCLUSION**

Accordingly, it is **ORDERED** that the application is returned to the Examiner:

- 1) consider the Information Disclosure Statement filed March 15, 2004; and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

Ssc

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